

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Schiffman

Plaintiff(s),

CIVIL CASE DISCOVERY PLAN
AND SCHEDULING ORDER

- against -

Epstein, et al

04 Civ. 2661 (SCR) ()

Defendant(s).

This Court requires that this case shall be ready for trial on or after

The following Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel for the parties, pursuant to Rules 26(f) and 16 of the Federal Rules of Civil Procedure.

The case (is) (is not) to be tried to a jury.

Joinder of additional parties must be accomplished by January 15, 2005.

Amended pleadings may be filed until January 15, 2005.

Discovery:

1. Interrogatories are to be served by all counsel no later than October 20, 2004, and responses to such interrogatories shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 shall not apply to this case.

2. First request for production of documents, if any, to be served no later than October 20, 2004.

3. Depositions to be completed by Fact depositions: June 15, 2005;
Expert depositions: August 30, 2005

USDC SDNY
DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED:

Unless counsel agree otherwise or the Court so orders, depositions are not to be held until all parties have responded to any first requests for production of documents.

Depositions shall proceed concurrently.

Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.

4. Any further interrogatories, including expert interrogatories, to be served no later than August 20, 2005.
5. Requests to Admit, if any to be served no later than August 20, 2005.
6. Additional provisions relating to discovery agreed upon by counsel for the parties (are) (are not) attached and made a part hereof.
7. All discovery is to be complete by August 30, 2005.

Dispositive motions, if any, must be served on notice as required by Local Civil Rule 6.1, and must be returnable before the Court on a published motion day, no later than three weeks before the ready for trial date.

Next Case Management Conference July 29, 2005 9:30 am
(This date will be set by the Court at the first conference)

Joint Pretrial Order is required only if counsel for all parties agree that it is desirable, or the Court so orders.

This case has been designated to the Hon. Lisa Smith, United States Magistrate Judge at White Plains for discovery disputes if the Court is "unavailable" and for trial under 28 U.S.C. § 636(c) if counsel execute their consent in writing.

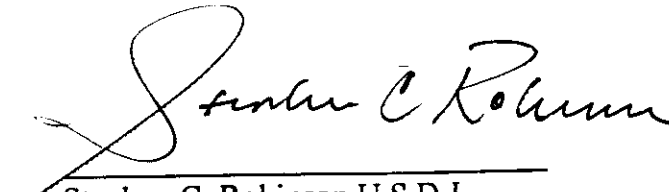
Strict compliance with the trial readiness date will be required. This Plan and Order may not be changed without leave of the Court, except that upon signing a Consent for Trial Before a United States Magistrate Judge, the Magistrate Judge will establish an agreed date certain for trial and will amend this Plan and Order to provide for trial readiness consistent with that agreed date.

White Plains, New York

SO ORDERED

Dated:

Sept 3, 2004


Stephen C. Robinson U.S.D.J.